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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,492	05/02/2001	Ian Zvonko Janoska	16720-3	6282

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EXAMINER
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MCFADDEN, SUSAN IRIS

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 05/13/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/847,492

Applicant(s)

JANOSKA, IAN ZVONKO

Examiner

Susan McFadden

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-45 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 5-2-01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1- 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Loomis et al. (5,625,668), cited by Applicant.

In regard to claims 1 and 2, Loomis et al. show in Figure 1, a system and method for monitoring the location of a mobile object comprising: a) mobile apparatus (cellular telephone) associated with said object comprising: a position determination device for determining the location of the object (GPS, item 14), and a processor for interpreting said determined location and generating a verbal message to convey said determined location (item 22, spoken location (Fig. 3, item 94, speech synthesizer), a radio communication device for communicating said verbal message (item 20), and communications apparatus operable by a user of said system and configurable to receive communication of said verbal message from said apparatus and provide an audible representation thereof to the user (cell phone, item 22 ).

In regard to claim 3, Loomis et al. show in Figure 1, an apparatus associated with a mobile object comprising: a position determination device for determining the location of the object (GPS, item 14), and a processor for interpreting said determined location

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and generating a verbal message to convey said determined location (item 22, spoken location (Fig. 3, item 94, speech synthesizer).

3. Claims 1-7,10-27,30-34, and 26-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Dimino (5,918,180), cited by Applicant.

In regard to claims 1-3, Dimino shows in Figure 1, a method and system for monitoring the location of a mobile object comprising the steps of: establishing a radio communications link between a user at a location remote from said object (vehicle mobile apparatus-cellular telephone) associated with said object comprising: a position determination device for determining the location of the object (GPS, item 12), generating a verbal message to convey said object location (item 16, speech synthesizer) and delivering the message by radio communications link (item 16), and audibly announcing said verbal message to the remote user (item 14, 8, col. 4, ln 40).

In regard to claims 4,10,11,12,13,15-20,22,23-25,30,31,37-39, and 40-45, Dimino shows in Figure 1, a system for monitoring an object (mobile vehicle) comprising: apparatus associated with an object comprising: one or more acquisition device for acquiring data including GPS data and coordinates/street names (item 12, col. 30-40) relating to the status of the object (items 18, 20,22, col. 4, ln 1-6), a processor for interpreting said acquired data and generating messages (item 18), a speech processor for converting the messages to verbal messages (item 16), a radio communications device (cell phone, item 16) for communication of said verbal message, and communications apparatus (telephone) operable by a user and

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configurable to receive communication of said verbal messages from the apparatus and provide an audible representation (items 14,44, Fig. 2 – item 46, col. 4, ln 1-40).

In regard to claims 5,21, and 32, Dimino show that the apparatus is configured to automatically generate and communicate a verbal message upon detecting a change in the status of an object (alarm triggered, col. 6, ln 25-35).

In regard to claims 6,26,27, and 33-34, Dimino show that the apparatus comprises a decoding device to receive and decode command signals of a user, issued via said communications apparatus in response to a verbal message received (alarm triggered, call user, user inputs PIN and selects desired commands, Fig. 7, col. 6, ln 10-24).

In regard to claim 7, Dimino show that the decoding device is configured to receive and decode command signals of a user for controlling at least one functional feature incorporated in said object (discharge vehicle battery, col. 5, ln 1-12).

In regard to claim 14, Dimino show that the apparatus further configured to provide verbal navigational information to a user of the vehicle (col. 2-3).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

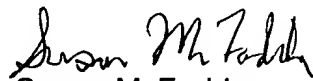
5. Claims 8,9,28,29,35, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dimino in view of Bentley (6,529,723).

In regard to claims 8-9,28-29, and 35-36, Dimino show that the system discussed above. Dimino does not specifically show that a human speech interpretation device is used for interpreting commands from a user. Bentley show an automated user notification system that shows it is well known to use speech recognition to recognize user commands in a vehicle monitoring system (col. 12, ln 14-24). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to combine these references because they provide a system that is more user friendly than using DTMF signals (col. 3, ln 35-46).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan McFadden whose telephone number is 703-308-6693. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Susan McFadden  
Primary Examiner  
Art Unit 2655

May 12, 2004